

**Skyview Willowbrook Association for Road Maintenance**  
**SWARM ROAD MAINTENANCE POLICY**

Rev: February 13, 2014  
[Policy\_Maintenance.doc]

*A policy is simply a concise statement of SWARM board decisions, codified such that it stands on its own without the need to review historical minutes to determine a legacy position. It is intended to be a 'living document.'*

The following shall be used in concert with (and not supersede) the association's By-laws and Articles. Additional authority for this document (and SWARM), comes from the individual **Property Deeds, Mendocino Superior Court ruling #61093** and the **California Civil Code, sections 1350-78 (now 4000 et. Seq).**

1. Function. The Primary function of SWARM is to maintain the community's roads to **ensure adequate access** by all members to their respective properties in an equitable fashion. SWARM activities are not limited to maintenance [see Bylaws 4.02 for scope], but are limited by the funding available. SWARM activities are further governed by a **deeded non-exclusive easement that extends a defined distance from the center of the road to either side.**

2. Member Obligations. Each member of the association (i.e. Property Owner) is expected to **maintain the brush and culverts** along the road frontage to their property.

When a driveway is installed into a property, it is that property owner's obligation to ensure the road drainage (ditches) is un-impeded. When a **driveway culvert** is required (for continuation of road drainage), this is the obligation of the property owner.

If a property owner runs any type of facility **underground (piping, etc.) within the road easement, it must be at least 3 feet deep and marked.** Culverts will not be used except for the conveyance of runoff.

**Fencing shall be setback at least 6 feet** from the road surface to ensure adequate passage of road maintenance equipment as well as fire and other emergency vehicles. Additionally, the bottom of the fence, if solid, **must be raised one foot** above the road surface elevation to allow grader operation.

If the property lies at the end of a road (e.g. gated<sup>1</sup>), **a suitable turn-around must be maintained** (maintenance will only be performed to where the equipment can turn around). CalFire (formerly CDF) has a flyer detailing other considerations for the property owner which can be found on the website.

---

<sup>1</sup> Gates installed across a road within the community must have the agreement of all those properties lying beyond as well as reason/approval to SWARM. Note that SWARM performs maintenance on only the stretches of road open to the public.

***SWARM will not be liable for any items damaged during road work that are improperly installed and/or marked.***

***Due to Insurance and other issues, no individual may perform maintenance or repairs on the community's roads (with the exception of those obligations previously noted) without approval from the SWARM Board.***

3. SWARM Obligations. The SWARM Board is responsible for assessing road needs, hiring contractors to perform such work, and to ensure adequate assessments are collected to cover such work. Culverts crossing the roads are SWARM's obligation, while those crossing private driveways are not. Due to community concerns over dust, as well as county dust ordinances, *road work should not be performed during the summer months*.

4. Maintenance Issues and Practices. For reference, there are approximately 12 miles of roads in the community, with Third Gate having ~8 miles, Second Gate ~2.2 miles and First, ~1.2 miles. Third Gate's traffic loads are estimated to be ~180 trips a day, Second ~35 trips and First ~17 at the peak (summer). Road easements are generally 70' (35' from center line to either direction horizontally), except for Boogie Woogie, which is recorded as 50'.

**An assessment of the road condition** should be made by the incoming Board (or continuing Board members) before the Fall rains. Budgeting and Scheduling for such maintenance over the coming year(s) should result from this (with appropriate reserves maintained for general obligations such as insurance, etc.). When insufficient funds are available, the priorities shall include a) serious erosion and potholes and b) the highest traffic areas. Note that the bulk of the funds (from assessments being paid) become available in late February into March. Ideally, **the budgeted road maintenance list should be published on the website** so that community members are aware of the planned work and how their monies will be employed over the coming year.

It is recommended that Road Maintenance consist of 2 stages:

- a) **Early Fall**; [*before* major rains]: culverts checked / repaired and ditches 'pulled', diversions opened, etc. to ensure proper drainage. Potential hazards identified / addressed (e.g. dead trees, etc). Once some moisture (rain) has occurred, rock (road base) buildup & minor grading to place -- avoid major road grading (as this will open up the road's subsurface before the rains causing a muddy mess later on). Note that this is when the contractors are generally available (vs. Spring).
- b) **Spring**; Pothole repair, erosion mitigation, and (while roads are damp), re-grading crowns into the road as is necessary to ensure proper road shape.

It is not the intent of this document to comprehensively cover road maintenance and repair practices -- there are numerous guides for such, and ideally Board members should

be contracting with experienced operators to keep up with state requirements and effect such. What follows below are general principles to keep in mind.

In **general, road construction** consists of 4 to 12" of 3"+ base rock (jagged is best), topped with 2 to 4" of ¾" with fines (again, jagged, not rounded). Hard rock, such as quartzites are best. Keeping these basics in mind will help deal with road issues in general. For example, placing large rock at the surface causes the rocks to be jiggled around resulting in voids that lead to potholes. Ideally, the surface layer built up each year should be of a durable material, ¾" or so, with lots of fines that bind into a semi-elastic surface that holds up to the traffic and keeps dust down. Recycled asphalt ('grindings') have been found to be ideal, concrete grindings poor (not elastic), and our native sandstone the worst (lasts < 6 weeks).

The most important aspect of road maintenance is **getting the water off** (and away from) the road as quickly as possible, before it builds up in both volume and velocity<sup>2</sup>. This means to this include proper road shaping, ditching and frequent cutouts (cuts through the road banks to allow water to drain). Where a high volume exists before someone's pond or stream, make a silt trap (a pit in the drainage path) to catch silt before it enters the body of water. Standing water by the road side with nowhere to drain could use a 'micropit' to hold the water, allowing it time to seep into the soil while also clearing the road. These same measures will help recharge our groundwater benefiting property owners.

Another issue are soft spots in the roads – generally from **clay 'lenses'**. When in low traffic areas, fill with rock. In high traffic areas, and when the lens is large enough, it is best to dig it out to at least 8", then pack in rock. Remember that if you work clay too much, it's structure can collapse – the same thing applies to a 'lens' in a high traffic area.

**Potholes** are best dealt with by hand, while ground moisture is still present (but no standing water). Clean out loose rock (dust ok), then fill them half way with ¾" w/fines material, packing, moisten, then more material packed until to 2-3" above surrounding road surface. Note that generally potholes are indicative of road drainage problems so while working the potholes, look around for such drainage issues.

For Third Gate, a **bridge inspection** should occur at least once every 3 to 5 years. This should include the bridge supports (looking for cracking or displacement in the steel), erosion around the base and any signs of delaminating corrosion or metal fatigue for the span itself. Regarding the bridge, potholes are a perpetual problem. This issue has been examined and the problem lies in the hard (deck) to soft (road) transition, coupled with the change in vehicle speed. The simplest solution is to keep the approaches crowned, right up to the bridge to drain water off quickly and keep the road hard/dry.

For all Gates, every 3 to 5 years, **culvert** head and tail areas need to be dug out. This is best accomplished by doing a mile or so each year.

---

<sup>2</sup> Slow it, spread it, sink it.

**When planning digging and/or culvert replacement**, you must call the Underground Service Alert people so they can determine if any utilities are present. Visit [www.usanorth.org](http://www.usanorth.org) or call 800-227-2600 before digging to prevent disrupting buried utilities (telephone lines, etc.) The site contains information about marking the area you will be digging so they can properly determine if any utilities are present.

Note that deeded **Drainage Easements** exist for all properties in the community so additional easements when placing new culverts are not required. However, care should be taken in where and how water is directed onto lands, including the consideration for silt traps, riprap, etc.

**Boogie Woogie** (3<sup>rd</sup> Gate) was not part of the original development's roads (though by maintenance actions & later easement recordations, it is now a part). Specifically, this is the only road in the community that crosses property lines (rather than serving as a boundary). When the roads were laid out, all properties currently accessed by Boogie Woogie were meant to be accessed by either Third Gate or Skyview (as the physical addresses reflect; and there are no utility easements along). Because of this and for the low traffic, maintenance in this area should be of a lower priority than the main loop (not to mention that it stays wet until much later making any road work problematic in packing and drying out).

Another issue regards **Big John Road** (where Third Gate and Skyview meet on the back side). In this case, owners there have erected a keypad-secured gate across the road roughly 100 yards in. Since this road is no longer open to the community (or SWARM), community funds may not be able to be used to maintain that stretch.

5. Non-Compliant Members. As noted, members (Property Owners) have an obligation to maintain their road frontage (brush, culverts, etc.). **When the inaction (or actions) of a member impacts the community road right-of-way**, a letter will be prepared advising the member of the same and requesting remediation. An example of this may include an un-culvert-ed driveway, grading or fencing that impacts the common right of way or condition of the roads. If, after a sufficient period from notification has passed without remediation, such work may be undertaken by the Board (within the easements established) and the property owner (member) billed for the costs of the same.

6. Road Work Contracting. Board representatives for the particular Gate shall determine the work required and *place this in writing*. Such documentation ideally will include a map to assist the Contractor in addressing particular problem locations; and the sum of this documentation shall herein be referred to as a 'work order'. Upon completion of the work by the Contractor, the **work performed will be reviewed by a Board representative** against the written work order; and only by approval of the performance (e.g. a Board member signature on the work order) may payment be authorized to the Contractor.

7. Future Considerations. Increase use of micro ponds/pits and silt traps to settle runoff [reduced volume and power of runoff, recharge of community's aquifer]. Increase tree

population along roads, especially barren stretches [slope stability, road surface protection, moisture retention, animal/bird species diversity]. Start with spreading coyote bush [high animal/bird species diversity and tree seedling protector], encourage owners to (trans)plant natives.

**Two attachments follow.**

This document was developed and approved by the Board of Directors of SWARM,  
(date): July 31, 2009.

Updates:

- 02/2011 – added 3<sup>rd</sup> Gate bridge inspection.
- 06/2011 – added fencing notes to Member section.
- 08/2011 – added turn-around notes to Member section.
- 10/2011 – simplified recommended maint. per contractor recommend.
- 11/2011 – added notes on underground facilities, liability and activities extent
- 05/2012 – added Boogie Woogie notes
- 12/18/12 – added Big John notes.
- 01/26/13 – added maintenance notes.
- 03/17/13 – noted easement widths as recorded against properties.
- 07/06/13 – noted drainage easements.
- 08/10/13 – noted insurance concerns ref. maintenance.
- 02/13/14 – noted Davis-Stirling numbering change.

Attachment 1. [example for driveway culvert]

SWARM  
PO Box 869  
Willits, CA 95490  
[www.sherwoodgates.org](http://www.sherwoodgates.org)

Date

Member Name  
Member Street  
Member Town, Zip

Dear Member

The driveway entering your property from the community road has impeded normal road drainage and is causing deterioration of the road below. This increases the cost and frequency of road maintenance for this part of the road, as well as impacting the quality of the road for your neighbors.

While SWARM is responsible for the common roads, we are not responsible for purchasing and placing culverts that result from improvements made on individual properties.

You need to place an appropriately-sized culvert under your driveway to ensure the unimpeded drainage along the community's road. This must be performed at *your expense*. You are also responsible for contacting **Underground Service Alert** (aka 'USA', phone: 800.642.2444) before you dig to ensure you do not disrupt buried utilities such as telephone.

If the problem is not corrected, *SWARM may be required to bill you for the additional road maintenance costs and/or the purchase and placement of the necessary culvert.*

We hope that this will not be necessary and that you will take care of this problem shortly. Should you have any questions or concerns, please contact us.

Thank you;  
SWARM

Attachment 2. [example for building fence in easement]

SWARM  
PO Box 869  
Willits, CA 95490

Date

Member Name  
Member Street  
Member Town, Zip

Ref: Lot #SXX, Sherwood Forest Hills Division  
Subj: Cease and Desist (removal) of Fence from within Active Community Road Easement.

Member Name

Your recent actions to construct a stockade-type fence within the active road easement of the community is in direct violation of California Civil Code 3479, and further, creating a 'Public Nuisance' as defined under CC 3480.

Specifically, the construction of this wooden fence within the packed road surface creates a hazard for the community, in terms of large vehicle maneuverability (usage by neighbors as well as on-going maintenance of the road), with special concern to emergency vehicles such as fire and ambulance (throughfare and traffic flow).

You are hereby requested to remove this fence or to set it back to *a minimum of 6 feet* from the packed road surface *no later than Day/Month/Year.*

If the fence remains within the active road easement at that time, legal action will be taken to order the fence removed and to recover the costs of doing the same.

You have been so notified

SWARM